

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KADEEM EDWARDS,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION,

Defendant.

1:23-cv-01180-KES-SKO (PC)

**ORDER LIFTING STAY OF DEADLINE
FOR THE FILING OF A RESPONSIVE
PLEADING**

**ORDER REQUIRING DEFENDANT BASSI
TO FILE RESPONSE TO PLAINTIFF'S
COMPLAINT WITHIN THIRTY (30) DAYS**

**ORDER DIRECTING CLERK TO SERVE
DEFENDANT BASSI AT HER LAST
KNOWN ADDRESS(ES)**

Plaintiff is a state prisoner proceeding pro se and *in forma pauperis* in a civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendant Sukhmani Bassi on Plaintiff's Eighth Amendment deliberate indifference to serious medical needs claim.¹

I. PROCEDURAL BACKGROUND

On February 28, 2024, the Court issued its Order Finding Service Appropriate, directing service on Sukhmani Bassi, allegedly employed as a licensed vocational nurse at Valley State Prison in Chowchilla in December 2023. (Doc. 18.)

¹ Defendants the California Department of Corrections and Rehabilitation and John Does 1 through 10 were dismissed from this action on January 18, 2024. (See Doc. 14.)

1 On April 19, 2024, a waiver of service was filed on Defendant Bassi's behalf and a
2 responsive pleading was due to be filed on or before May 21, 2024. (Doc. 22.)

3 On May 16, 2024, a request for a 45-day extension of time to respond to the complaint
4 was filed with the Court. (Doc. 23.) The request was granted, and a responsive pleading was to be
5 filed no later than June 20, 2024. (Doc. 24.) On June 19, 2024, a second request for a 45-day
6 extension of time was submitted. (Doc. 25.) The request was granted with a responsive pleading
7 due no later than August 5, 2024. (Doc. 26.)

8 On July 30, 2024, a Notice of Motion and Motion to Withdraw as Counsel for Defendant
9 S. Bassi was filed with the Court. (Doc. 27.) On July 31, 2024, the Court issued its Order Staying
10 the Deadline for the Filing of a Responsive Pleading. (*See* Doc. 29.) Following supplemental
11 briefing (*see* Docs. 29 & 31), the Court issued its Order Granting Motion to Withdraw as Counsel
12 for Defendant Bassi on September 19, 2024. (Doc. 34.) Defense counsel was directed to serve
13 Defendant Bassi with a copy of the Court's order at her last known address and to provide the
14 Court with Bassi's last known address under seal. (*Id.* at 4-5.) Counsel complied. (*See* Docs. 35.)²

15 The Court now addresses the need for a responsive pleading by Defendant Bassi.

16 **II. DISCUSSION**

17 Defendant Bassi has been served but has not yet filed a response to Plaintiff's complaint.
18 Bassi is no longer represented by the California Attorney General's Office and is now
19 representing herself *in propria persona*.

20 The Court will lift the stay of the deadline for the filing of a responsive pleading and order
21 Defendant Bassi to file a responsive pleading within 30 days. Because Defendant Bassi's address
22 remains confidential, the Court will direct the Clerk of the Court to serve a copy of this Order to
23 the last known address for Defendant Bassi, accessible only to Court employees.

24 **III. CONCLUSION AND ORDER**

25 Based on the foregoing, the Court **HEREBY ORDERS:**

27 ² Former defense counsel was inadvertently not served with the Court's September 19, 2024, order, via the
28 Court's Case Management/Electronic Case Filing (CM/ECF) system. The Court subsequently contacted
counsel and he complied with the Court's directives as requested.

1. The stay of the deadline for the filing of a responsive pleading is **LIFTED**;
2. Defendant Bassi **SHALL** file a response to Plaintiff's complaint **within 30 days** of the date of this Order;
3. The Clerk of the Court is **DIRECTED** to serve a copy of this Order to Defendant Bassi at all last known address(es), kept confidential and accessible only to Court employees; and
4. **Defendant Bassi is advised that a failure to respond to Plaintiff's complaint may result in entry of a default judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure. Defendant Bassi is further advised that this Court's Local Rules require a party to keep the Court apprised of any change of address. See Local Rules 182(f) and 183(b).**

IT IS SO ORDERED.

Dated: **October 14, 2024**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE